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with an election at which Messius was a candidate, or at which he could have been present in Rome.

The next prosecution mentioned under this law was that of Vatinius in the same year in which Messius and Plancius were prosecuted. Tacitus tells us that Cicero spoke for the defense, and that he delivered his speech in the afternoon<sup>74</sup>. The conclusion is natural that, as usual, he was the last speaker in the proceedings. Cicero himself, in mentioning the case, does not tell who the prosecutor was, nor does he give the grounds for the accusation<sup>75</sup>. But Quintilian mentions the case, and from his statement it seems clear that the prosecutor was C. Licinius Macer Calvus, whose speech was highly praised<sup>76</sup>. From other circumstances the history of the case becomes somewhat known. Vatinius was the opponent of Cato in the election to the praetorship in the year 56. The election was long delayed, and finally Vatinius was elected. But in order to defeat Cato and elect Vatinius, Pompey and Crassus, who did not want to have Cato in office while they were consuls, spent large amounts of money, and finally resorted to rioting to scatter the followers of Cato<sup>77</sup>. Since the election occurred so late, the newly elected consuls persuaded the Senate that it was advisable that the persons elected to the various offices should assume their duties without waiting, as the law required, to see whether they would be prosecuted for irregularities in the canvassing<sup>78</sup>. Consequently Vatinius was safe until the expiration of his year of office, at the end of 55. During the next year he was prosecuted under the law carried by his champion. In this peculiar situation it cannot be ascertained whether the charge of sodalium arose out of the rioting or out of the bribery connected with his election, for he was undoubtedly guilty of both. The chances are that he was acquitted, for he and Cicero were friendly thereafter<sup>79</sup>.

Two years later, in 52 B. C., Milo was prosecuted for sodalium by P. Fulvius Neratus after his conviction for the murder of Clodius<sup>80</sup>. He was condemned in his absence, and the prosecutor received the legal reward for conducting a successful prosecution. There seems to be little doubt that the case resulted from Milo's recent candidacy for the consulship, and in that case there is the interesting situation that he was prosecuted for both ambitus and sodalium arising out of the same election. But the prosecution and conviction of M. Valerius Messalla in the next year, 51 B. C., was very much like it. In 54 he was elected to the consulship for 53, but he paid high for the honor<sup>81</sup>,

for he was secretly opposed by Pompey<sup>82</sup>, and it was expensive to win an election against the will of Pompey. Before he assumed office he was prosecuted by Q. Pompeius Rufus for bribery, but either the case was dropped, or Messalla was acquitted, with the assistance of Cicero, Hortensius and the aristocratic party<sup>83</sup>. Whatever happened, he was free to hold the consulship. But in 51 he was again prosecuted, this time on a charge of sodalium, for which he was convicted<sup>84</sup>. There had been no election in which Messalla had participated, at least as a candidate, since his first trial, so that the second accusation must have arisen out of the election in 54, or have been connected with the formation of sodalicia at a time when there could be influence brought upon proposed legislation, or upon some aim that was not immediately connected with canvassing. If the prosecution resulted from the canvass of 54, he was in the same position as Milo, that is, he was prosecuted for both ambitus and sodalium after one election. Certainly there must have been a fundamental difference between the two crimes, for it would have been impossible to prosecute twice for the same offense, and particularly in the case of Milo to secure a conviction twice<sup>85</sup>.

(To be concluded)

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## REVIEWS

Latin for the First Year. By Walter B. Gunnison and Walter S. Harley. Boston: Silver, Burdett and Company (1915). Pp. vi + 329. \$1.00.

This book has the special aim of being simple, thorough, and interesting—a truly excellent program. As far as simplicity is concerned, the authors have succeeded admirably. This is apparent at once in the grammatical explanations which precede the exercises, and which, in addition to being well planned, are expressed with unusual clearness. One rarely finds this part of the work done in a more satisfactory manner.

To be commended also is the simple but thorough-going development of the forms. The arrangement is based mainly on the verb as the backbone of the sentence, and carries with it some implications as to the order of the syntax. The separate tenses after some preliminary preparation are learned for all the conjugations at the same time, which is an appreciable economy of effort. With similar good judgment the passive voice of each tense is given immediately after

<sup>74</sup>Dial. 21.

<sup>75</sup>Ad Q. Fr. 2.16.3.

<sup>76</sup>Quintilian, 9.2.25; Seneca, Controv. 3.19; Meyer, Oratorum Romanorum Fragmenta, 474 ff.

<sup>77</sup>Plutarch, Cat. Min. 42; Pomp. 52.

<sup>78</sup>Cicero, Ad Q. Fr. 2.9; Plutarch, Cat. Min. 42.

<sup>79</sup>Cicero, Planc. 40, mentions a case of sodalium in which he had been counsel shortly before the case of Plancius, and Schol. Bob. 262 says that this was the case of Vatinius. Cicero's defense of Vatinius is also mentioned by Asconius, p. 18.

<sup>80</sup>Asconius in Milon. 40, 54. Compare my article, The Prosecution of Milo, in THE CLASSICAL WEEKLY 8.148.

<sup>81</sup>Cicero, Att. 4.16.4: De Messalla quod quaeris, quid scribam nescio. Nunquam ego vidi tam paris candidatos. Messallae copias nosti.

<sup>82</sup>Cicero, Att. 4.9.15.

<sup>83</sup>Cicero, Att. 4.16.8; Ad Q. Fr. 3.2.3; Fam. 8.2.4: Certe, inquam, absolutus est, et quidem omnibus ordinibus et singulis in uno quoque ordine sententiis. "Ride modo", inquis. Non me hercules; nihil unquam enim tam praeter opinionem, tam quod videretur omnibus indignum, accidit.

<sup>84</sup>Cicero, Fam. 8.4.1: absolutum Messallam, deinde condemnatum. Compare Fam. 8.2.1.

<sup>85</sup>But Mommsen, who holds that sodalium was but a special form of ambitus, sees no objection to his view in the fact that a man was twice prosecuted for the same offense (see Coll. 46). I expect to treat this problem soon in connection with the prosecution of Jesus by the Jewish and the Roman authorities.

the active. It will be noticed that the demonstrative pronouns do not appear until the second half of the book. I must say that this seems to me to be a mistake. The pronouns would seem to be more easily learned in close connection with adjectives of the first and second declensions, with which they have so many forms in common. Think moreover of studying a modern language and of not being permitted to know the words for *this* and *that* until the forty-fourth lesson!

Likewise in the arrangement of the syntax there is an obvious postponement of difficulties. Indirect discourse is first used in lesson forty-third, indirect question in lesson sixty-second, and *cum*-temporal in lesson seventy-sixth. This is the usual method, but it should not be carried too far. It seems a pity that so important a construction as the indirect question should not be taken up much earlier in the course. In the present case such a change would involve the earlier introduction of the subjunctive, and would disarrange the plan of the book. Aside from this the syntax is developed in a skillful manner with recognition of the fact that certain constructions are appropriate with certain forms, e.g. the accusative of extent with cardinal numbers, and the ablative of the agent with the passive voice.

Thoroughness implies among other things systematic repetition of forms and constructions. I notice, however, that the future perfect tense, though given in the thirty-ninth lesson, occurs apparently only once in the remainder of the book. The dative of the possessor is repeated once, the indirect question twice in the English sentences, and the final *ut*-clause nine times. The two latter constructions occur more frequently in the Latin exercises, but there is clearly a tendency to lose sight of both forms and constructions after they have been once taken up and explained. This is doubtless not oversight so much as a desire to make the exercises easy and to lessen them in quantity. It is certainly true that the work of the first year should be easy, but it is also true that it should be sufficient in amount to insure a fair degree of mastery in the things with which it deals. In the first respect, as we have seen, the present book is not lacking; in the second, I should say that it is lacking, and that this constitutes its capital defect as well as that of some other books of a similar character. The result is seen when the pupil passes from these delightfully easy sentences to the reading of real Latin such as that of Caesar. It is safe to say that in most cases he is not well prepared and must undergo a period of slow and painful struggle in which his interest in the subject is more than likely to be deadened. Out of this discouraging phase of Latin teaching has come the movement to give more time to the elementary stages. Let the work for the beginner be easy by all means, but let it be varied in character and plentiful in amount.

And also, if possible, let it be interesting. In their efforts toward this end the authors make use of a number of illustrations including some half dozen

reproductions of modern paintings. Two of these, Alma Tadema's Roman Emperor on the Way to the Bath, and Forte's Street Scene in Rome, seem to me to give erroneous impressions of Roman life. One is also curious to know what led to the choice of the bust of Caesar on page 105. On the whole the illustrations are well chosen, but a detailed index (on the model of that in Havell's Republican Rome) would add to their value. An index is also needed for the Latin quotations, which are mostly given without indication of their source. They are scattered throughout the book and are mainly brief *sententiae* easy to learn and useful to remember. It would be well in a second edition to pay more attention to some of the English renderings. It is hardly fair to Horace to outfit his famous (and much misunderstood) *Integer Vitae* with William Coult's translation. At best these external features stimulate the interest of the pupil, but do not necessarily engage it permanently.

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Hamlet and Orestes. A Study in Traditional Types.

By Gilbert Murray. New York: Oxford University Press, American Branch (1914). Pp. 27. 25 cents.

This paper was originally the annual Shakespeare lecture of the British Academy in 1914. There can not have been many lectures on literary subjects delivered before the British Academy, or any other audience, which were more interesting and stimulating than this one. The lecturer begins by calling attention to the fact that Hamlet was a traditional character among the Scandinavian peoples, just as Orestes was among the Greeks. The prominence of Orestes in Greek mythology and literature is familiar to us all: not so well known, however, is the fact that there was a Hamlet-tragedy in England before Shakespeare, and that still earlier the same hero, called sometimes Amlethus and sometimes Amlodi, appears in the prose Edda, composed about 980, in the Gesta Danorum of Saxo Grammaticus, written about 1185, and in the Icelandic Ambales Saga. Comparing these Greek and these Northern legends, Professor Murray finds certain unique and significant features common to the two groups:

(1) In all versions the hero's father has been killed by a kinsman, who has then married the queen and seized the throne; whereupon the hero, driven by supernatural commands, undertakes and carries through the duty of vengeance.

(2) In all versions, there is some "shyness about the mother-murder".

(3) "In all versions the hero is under the shadow of madness".

(4) In other respects both Orestes and Hamlet have strange personalities, especially strange for great tragic figures. Shakespeare's Hamlet is described as "the fool transfigured". In particular, both heroes present at times a disorderly, even repulsive appear-